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THE UNITED STATES PATENT AND TRADEMARK OFFICE

United States Serial No. : 09/743,883  
Filing Date : January 16, 2001  
International Application No. : PCT/EP99/04896  
International Filing Date : July 13, 1999  
Inventor : Jörg Peter Schür  
Title : "ANTIMICROBIAL COMPOSITION"

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Our File: von Kreisler.011

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this paper entitled "Response To Notification of Missing Requirements Under 37 U.S.C. § 371 In The United States Designated/Elected Office (DO/EO/US)" is being sent by First Class mail, postage prepaid, in an envelope properly addressed to "BOX – RESPONSE, Commissioner of Patents, Washington, D.C. 20231" on March 20, 2001.

March 20, 2001

Date of Certification

Georgia M. Peters

Georgia M. Peters

**PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136(a)**

Applicant requests a one-month extension of time for completion of its Response to provide time for consideration by the Examiner of the Declaration, Power of Attorney and Power to Inspect being filed with the Response and correction by Applicant of any formal requirement, if needed.

Respectfully submitted,

John S. Child, Jr.

John S. Child, Jr.

PTO Registration No. 28,833

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

In the event a fee is required and is not enclosed, the Commissioner is hereby authorized to charge any fee to the account of the undersigned attorneys, Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed for that purpose.

DANN DORFMAN HERRELL AND SKILLMAN  
A Professional Corporation

John S. Child, Jr.

John S. Child, Jr.

PTO Registration No. 28, 833



10 MAR 2001

26 MAR 2001

3

**BOX -- RESPONSE**

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

**Attention: Christine S. Washington**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 37 U.S.C. § 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

The Notification of Missing Requirements was mailed on February 20, 2001 and had a deadline for response of one month. (A copy is enclosed.) Accordingly, this Response To Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US), which is being filed on March 20, 2001 with a Certificate of Mailing Under 37 C.F.R. § 1.8, is timely.

The Notification of Missing Requirements indicates that the item to be provided with the Response is an oath or declaration of the inventors. This oath or declaration is to be in compliance with 37 C.F.R. § 1.497(a) and (b) and identify the Application by the International Application No. and International Filing Date.

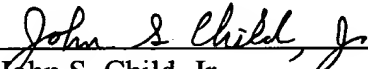
Applicants enclose herewith as Exhibit A a Declaration, Power of Attorney and Power To Inspect that has been duly executed by the inventor, Jörg Peter Schür. The Power of Attorney gives the undersigned attorney the power to prosecute this Application. The Declaration identifies the Application by International Application No. (PCT/EP/99/04896) but inadvertently omits the International Filing Date, which is July 13, 1999. The International Application Nos. set forth on the Declaration and on the Notification of Missing Requirements are identical.

As the Declaration satisfies the requirement under 37 C.F.R. § 1.497 (a) (2) that it "identifies the specification to which it is directed" and is otherwise in compliance with 37 C.F.R. § 1.497 (a) and (b), the Declaration should be acceptable. If necessary, Applicant will submit an executed Declaration, Power of Attorney and Power To Inspect on which the International Filing Date of July 13, 1999 appears under the International Application No., PCT/EP/99/04896.

Applicant requests that the next action of the United States Patent and Trademark Office be the issuance of a Notification of Acceptance of Application Under 35 U.S.C. § 371 and 37 C.F.R. § 1.494 or 1.495.

Respectfully submitted,

DANN DORFMAN HERRELL AND SKILLMAN  
A Professional Corporation

  
John S. Child, Jr.

PTO Registration No. 28,833

Date: March 20, 2001

Enclosures: Certificate of Mailing Under 37 C.F.R. § 1.8(a)  
Petition For Extension of Time Under 37 C.F.R. § 1.136(a)  
Authorization To Charge Deposit Account (original and 1 copy)  
A copy of the Notification of Missing Requirements  
Response To Notification of Missing Requirements Under 37 U.S.C. § 371 In The United States  
Designated/Elected Office (DO/EO/US)  
Exhibit A, Declaration, Power of Attorney and Power To Inspect  
executed by Jörg Peter Schür

Return postcard

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10 FEB 2001 2 6 MAR 2001  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/743883	SCHUER J	VON KREISLER

DANN DORFMAN HERRELL AND SKILLMAN  
1601 MARTET STREET  
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INTERNATIONAL APPLICATION NO.	
PCT/EP99/04896	
I.A. FILING DATE	PRIORITY DATE
13 JUL 99	13 JUL 98
DATE MAILED: 20 FEB 2001	

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☒ a non-English language.
  - ☐ English.
- ☒ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☒ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 16 JAN. 2001 and
- ☐ Information Disclosure Statement(s) filed and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document. 3
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

- ☐ PCT/DO/EO/917
- ☐ Notice of Defective Translation
- ☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Christine S. Washington

Telephone: 703-305-3752